

REMARKS

The applicants originally submitted claims 1-18 in this application. In a previous response to a restriction requirement dated December 19, 2005, the applicants withdrew claims 10-18 from consideration. In this response to the current Office Action, the applicants have amended claims 1 and canceled claims 2 and 10-18. Accordingly, claims 1 and 3-9 remain pending in this application.

The applicants hereby confirm the acknowledgement of the election without traverse of Group I, claims 1-9, in the reply the applicants filed on January 4, 2006.

The Examiner rejected claims 1, 5 and 7 under 35 U.S.C. §102(b) as being anticipated by European Patent Publication EP 1,129,999 A2 (Dong et al.). The Examiner also objected to claims 2-4, 6 and 8 as being dependent upon a rejected base claim, but indicated they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response to the rejection and the objection, the applicants have amended claim 1 to include the subject matter of claim 2, and canceled claim 2. Accordingly, the applicants respectfully submit that claim 1, as amended, is allowable. Remaining claims 3-9 all depend directly from claim 1 and thus also are allowable at least for their dependency from claim 1. Therefore, the applicants respectfully request that the Examiner withdraw the rejection of claims 1, 5 and 7 under 35 U.S.C. §102(b) as being anticipated by European Patent Publication EP 1,129,999 A2.

The Examiner rejected claims 1, 5 and 7 under 35 U.S.C. §102(e) as being anticipated by Dong et al. (U.S. Patent No. 6,460,378 B1). The applicants respectfully traverse the rejection in view of the foregoing claim amendments and the remarks set forth below.

As discussed hereinabove, claim 1, as amended, and claims 3-9, which all depend directly from claim 1, are allowable. Therefore, the applicants respectfully request that the Examiner withdraw the rejection of claims 1, 5 and 7 under 35 U.S.C. §102(b) as being anticipated by Dong et al.

The Examiner rejected claim 9 under 35 U.S.C. §103(a) as being unpatentable over European Patent Publication EP 1,129,999 A2 or Dong et al. 6,460,378 B1, each as applied above to claims 1, 5 and 7, and further in view of Berkey (U.S. Patent No. 5,917,109) and Berkey et al. (US Patent Publication No. 2003/0024278 A1). The applicants respectfully traverse the rejection in view of the foregoing claim amendments and the remarks set forth below.

As discussed hereinabove, claim 1, as amended, is allowable. Claim 9 depends directly from claim 1 and incorporates all of the features of claim 1. Furthermore, claim 9 includes other features that, when combined with the subject matter of independent claim 1, are not shown in or suggested by the art of record. Therefore, the applicants respectfully request that the Examiner withdraw the rejection of claim 9 under 35 U.S.C. §103(a) over European Patent Publication EP 1,129,999 A2 or Dong et al. 6,460,378 B1 and further in view of Berkey '109 and Berkey et al. '278.

The applicants submit that all claims now are in patentable form, and respectfully urge that all the claims be allowed and the application be passed to issue. If the Examiner disagrees, the Examiner is invited to call the attorney for the applicants at the telephone number provided below.

Respectfully,

J. P. Fletcher
A. W. Jones
T. J. Miller
D. H. Smith
S. Xiong

By:



Michael A. Morra, Attorney
Reg. No. 28975
(770) 798-2040

Date: 5-30-06

Fitel USA Corp.
Docket Administrator - Suite 2H02
2000 Northeast Expressway
Norcross, GA 30071-2906